



Via Fax

February 27, 2004

The Honorable Jonathan Adelstein
Commissioner
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Dear Commissioner Adeistein:

RE: Ex Parte Notice. WC Docket No. 03-228. In the Matter of Section 272(b)(1)'s "Operate Independently" Requirement for Section 272 Affiliate

It is my understanding that the Commission is now considering the above-captioned proceeding.

The Communications Workers of America (CWA) encourages you to support elimination of the Commission rule that prohibits sharing technicians performing operating, installation, and maintenance (OI&M) functions between a Bell Operating Company (BOC) and its long-distance affiliate.

The prohibition against sharing technicians among the local operating company and the long-distance affiliate imposes costs and inefficiencies on the BOCs that inhibit new services and thereby discourage investment. The requirement is burdensome and anachronistic as the BOCs move into a broadband environment, which does not have a clear demarcation between "local" and "long-distance." The requirement interferes with quality service, forcing customers to navigate separate systems for installation, repair, and maintenance services.

Of particular concern to CWA, the prohibition negatively impacts the workforce. At least one BOC — Verizon — has chosen to use outside contractors to perform OI&M functions for its long-distance affiliate. Absent the prohibition, this work would be staffed by Verizon's union workforce, thereby expanding career opportunity and growth of high-wage union jobs.

Similarly, as BOC employers transition to IP networks, the prohibition could block career opportunity for CWA members whose future depends on work on the new technology.

The Honorable Jonathan Adelstein
February 27, 2004
Page 2

The Commission can protect against cross-subsidization by requiring cost accounting safeguards. Costly, inefficient structural safeguards are unnecessary.

Sincerely,

Morton Bahr
President